

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-17245

WATER DIVISION 1-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-17245 is held by Hegge Land & Cattle LLC.
2. Appropriation A-17245 with a priority date of January 28, 1993, authorizes the use of water for irrigation of the 75.1 acres of land described below. The water may be diverted from Prairie Creek at a point of diversion located in the SE¹/₄NE¹/₄ of Section 27, Township 16 North, Range 05 West of the 6th P.M. in Nance County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.07 cfs.

<u>Township 16 North, Range 05 West of the 6th P.M. in Nance County</u>	<u>Acres</u>
Section 27: NW ¹ / ₄ NE ¹ / ₄	26.7
SW ¹ / ₄ NE ¹ / ₄	36.0
SE ¹ / ₄ NE ¹ / ₄	<u>12.4</u>
TOTAL	75.1

3. The Department has received information concerning the use of surface water appropriation A-17245 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On April 17, 2023, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-17245. The Notice was delivered by certified mail to Brandon Hegge, Hegge Land & Cattle LLC, 15102 South 231st Street, Gretna, Nebraska 68028.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-17245 has not been used for its required purpose for more than five consecutive years.
7. *Nebraska Revised Statutes* § 46-229.02 provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.

ORDER

IT IS HEREBY ORDERED appropriation A-17245 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



May 22, 2023

Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order were provided to the Department's docket clerk and field office in Bridgeport, Nebraska. A copy of this Order was mailed to the following:

Brandon Hegge
Hegge Land & Cattle LLC
15102 South 231st Street
Gretna, Nebraska 68028